

The article was alleged to be adulterated in that its purity fell below the professed standard of quality or strength under which it was sold, namely, "Oil Sandalwood—U. S. P. East Indian," since it was not as represented.

Misbranding was alleged in that the statement, "Oil Sandalwood U. S. P. East Indian," borne on the label, was false and misleading since it led the purchaser to believe that the article was sandalwood oil, recognized in the United States Pharmacopoeia; whereas it was not.

On August 8 and 17, 1938, Magnus, Mabee & Reynard having appeared as claimant for the lots seized at Philadelphia and Pittsburgh, Pa., judgments of condemnation were entered and the said lots were ordered released under bond conditioned that they be relabeled and disposed of for technical purposes. No claim having been entered for the remaining lots, default decrees of condemnation and destruction were entered within the period from on or about July 19 to on or about September 30, 1938.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29449. Misbranding of Pon-Tam-Pon Silver-Iodine, Pon-Tam-Pon Ichthyol-Iodine, and Pon-Tam-Pon Zinc-Ichthyol. U. S. v. 69 Cartons and 17 Cartons of Pon-Tam-Pon (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 42047, 42048, 42217, 42218. Sample Nos. 3210-D, 3211-D, 17679-D, 17680-D.)

The labeling of all these products bore false and fraudulent curative and therapeutic claims, and that of the silver-iodine and ichthyol-iodine tampons bore false and misleading representations that they contained free iodine.

On March 26 and April 18, 1938, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court three libels praying seizure and condemnation of 134 cartons of Pon-Tam-Pon at San Francisco, Calif.; alleging that the articles had been shipped in interstate commerce on or about October 4 and November 4, 11, and 23, 1937, from Rutland, Vt., by the Pond Manufacturing Co.; and charging misbranding in violation of the Food and Drugs Act as amended. Each carton contained six tampons and a tube labeled: "Glycerant."

Analyses showed that the tube labeled "Glycerant" contained glycerite of starch, or glycerite of starch and boric acid; that the silver-iodine tampons consisted essentially of a gelatin shell containing a jelly composed of glycerated gelatin, boric acid, and an iodide, a layer of powder composed of silver nitrate and boric acid, and a bundle of wool fibers; that the ichthyol-iodine tampons consisted essentially of a gelatin shell containing a jelly composed of gelatin, glycerin, boric acid, ichthammol, an iodide, and a bundle of wool fibers; and that the zinc-ichthyol tampons consisted essentially of a gelatin shell containing glycerin, boric acid, ichthammol and compounds of zinc and salicylic acid, and a bundle of wool fibers.

The silver-iodine and ichthyol-iodine tampons were alleged to be misbranded in that the statements, (silver-iodine) "* * * original and pure state * * * Iodine * * * with Iodine equivalent of 20 percent of the Tincture * * * Iodine," and (ichthyol-iodine) "Ichthyol-Iodine * * * Iodine with tr. of iodine 13 percent," were false and misleading since the tampons contained no free iodine.

All the products were alleged to be misbranded in that statements in the labeling falsely and fraudulently represented their curative and therapeutic effectiveness as follows: (Silver-iodine) in the treatment of gonorrhea in women; (ichthyol-iodine and zinc-ichthyol) in the treatment of leucorrhea, painful menstruation, profuse and irregular menstruation, diseased tubes and ovaries and pelvic peritonitis, displacement of the uterus, fibroid tumors, sterility, to prevent miscarriage; as a treatment after miscarriage and confinement, and in complications after operations; in the treatment of headache, indigestion, backache, nervous prostration, disease of the uterus in young girls, and lacerations; (zinc-ichthyol only) in the treatment of prolapse, prolapse cystocele, and rectocele; (Glycerant) in the treatment of inflammation, skin diseases, hemorrhoids, sores, and sore gums.

On July 21, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*